

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
MODERN EQUITY COMPANY, INC., X  
Docket No.: 08 CV 07308 (BSJ)

Plaintiff,  
NOTICE OF APPEARANCE  
-against-  
Plaintiff,

MT. HAWLEY INSURANCE COMPANY,

Defendant.

PLEASE TAKE NOTICE, that Plaintiff, MODERN EQUITY COMPANY, INC., hereby enters its appearance in the above-captioned case and requests that all further notices of all matters arising herein be duly served upon the undersigned attorney on behalf of MODERN EQUITY COMPANY, INC., at the address set forth below.

Dated: New York, New York  
August 21, 2008

Yours, etc.

SPERBER, DENEBERG & KAHAN, P.C.  
Attorneys for Plaintiff, MODERN EQUITY COMPANY, INC.

By:

JAMES C. MANTIA, ESQ.  
JCM-9482  
48 West 37<sup>th</sup> Street  
16<sup>th</sup> Floor  
New York, New York 10018  
(917) 351-1335x223

TO: KENNEY SHELTON LIPTAK NOWAK LLP  
510 Rand Building  
14 Lafayette Square  
Buffalo, New York 14203  
ATTN: Timothy E. Delahunt, Esq.

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss.:  
                        )

BEATRIZ CRUZ, being duly sworn, deposes and says:

1. I am not a party to this action; I am over 18 years of age and I reside in

Kings County.

2. On August 21, 2008, I served the within NOTICE OF APPEARANCE upon:

KENNEY SHELTON LIPTAK NOWAK LLP  
510 Rand Building  
14 Lafayette Square  
Buffalo, New York 14203  
ATTN: Timothy E. Delahunt, Esq.

at the addresses designed by said party(s)/attorney(s) for that purpose by depositing true copies of same enclosed in postpaid, properly addressed wrappers, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

Sworn to before me this

21 day of August, 2008

\_\_\_\_\_  
Beatrix Cruz

\_\_\_\_\_  
Notary Public

ROMINA BENZAKARYA  
Notary Public, State of New York  
No 02BE6070639  
Qualified in Nassau County  
Commission Expires March 4, 2010

Index No.

Year 20

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SOUTHERN DISTRICT OF NEW YORK

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*Plaintiff*

-against-

MT. HAWLEY INSURANCE COMPANY,

*Defendant.*

**NOTICE OF APPEARANCE**

SUPERBER DENENBERG & KAHAN, P.C.  
*Attorneys for*

48 West 37th Street  
16th Floor  
New York, New York 10018  
(917) 351-1335

**Plaintiff- MODERN EQUITY, INC.**

To:

*Attorney(s) for*

*Service of a copy of the within*

Dated:

*Attorney(s) for*

*is hereby admitted.*

**PLEASE TAKE NOTICE**

NOTICE OF ENTRY  
that the within is a (certified) true copy of a  
entered in the office of the clerk of the within named Court on

20

NOTICE OF SETTLEMENT  
SETTLEMENT  
at  
on  
M.  
Dated:  
on  
, at

*Attorneys for*

SUPERBER DENENBERG & KAHAN, P.C.

48 West 37th Street  
16th Floor